



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-6554/P2
MJW:cjs&wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to create* 321.03 (1) (f) of the statutes; **relating to:** requiring the
2 Department of Military Affairs to annually report to the legislature any
3 changes to the Uniform Code of Military Justice.

Analysis by the Legislative Reference Bureau

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council Study Committee on Wisconsin National Guard Sexual Misconduct Procedures. Under current law, members of the Wisconsin National Guard on state status are subject to the Wisconsin Code of Military Justice (WCMJ), which codifies offenses that may be punished under the code and establishes procedures for enforcing the code. If on federal status, National Guard members are subject instead to the federal Uniform Code of Military Justice (UCMJ). Although many of the WCMJ's punitive articles parallel those in the UCMJ, the codes differ in certain respects and any modifications Congress makes to the UCMJ do not affect the WCMJ unless subsequently adopted by the Wisconsin Legislature.

This bill requires the Department of Military affairs to submit a report to the appropriate standing committees of the Legislature annually that summarizes any substantive changes that have been made to the UCMJ's punitive articles during the prior fiscal year and compares the changes to the WCMJ's punitive articles. The bill further requires that the appropriate standing committees of the Legislature hold a public hearing on the report no less often than annually.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 321.03 (1) (f) of the statutes is created to read:

321.03 (1) (f) By July 1 of each year, submit to the appropriate standing committees of the legislature in the manner provided under s. 13.172 (3) a report that summarizes any substantive changes that have been made to the punitive articles of the Uniform Code of Military Justice during the prior federal fiscal year and compares those changes to the Wisconsin Code of Military Justice. The report shall be the subject of a public hearing, conducted no less often than annually, by the appropriate standing committees of the legislature.

(END)